

1/26/2009



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**OFFICE OF PETITIONS**

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**FACSIMILE TRANSMISSION COVER SHEET**

Date: January 20, 2009

To: Mail Stop Petition  
United States Patent and Trademark Office

Fax: (571) 273-8300

Re: **Patent No.: 6,821,713**  
Issue Date: 11/23/2004  
Application Serial No.: 10/085,242  
Filing Date: 2/27/2002;  
First-Named Inventor: Holbrook  
Attorney Docket No.: 0180155

From: Farjami & Farjami LLP

Number of pages including the cover sheet: 4

Message:

Enclosed please find the Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent.

Authorization is hereby given to the Director to charge deposit account 50-0731 as payment for the required fees.

Thank you.

The documents accompanying this facsimile contain PRIVILEGED AND CONFIDENTIAL information intended only for use of the individual or entity named above. If you are not the intended recipient, disclosure, copying, distribution or use of the contents of this facsimile information is prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via U.S. Postal Service. We will reimburse you for all expenses incurred.

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2009 JAN 26 PM 1:51

Approved for use through 04/30/2009. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT  
OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**Docket Number (Optional)  
0180155

Mail to: Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information  
 at (571) 272-3282

Patent No. 6,821,713Application Number 10/085,242Issue Date 11/23/2004Filing Date 02/27/2002

**CAUTION:** Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

**Also complete the following information, if applicable**The above-identified patent: 01/30/2009 DALLEN 00000062 500731 6821713

- is a reissue of original Patent No. 01 FC:1599, original issue date 2620.00 DA; original application number \_\_\_\_\_; original filing date \_\_\_\_\_.
- resulted from the entry into the U.S. under 35 U.S.C. 371 of international application \_\_\_\_\_ filed on \_\_\_\_\_.

**CERTIFICATE OF MAILING (37 CFR 1.8(A))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to facsimile number 571-273-8300 on the date shown below.

1/20/09

Date

Signature

Marci M. Sweda

Typed or printed name of person signing Certificate

01/30/2009 DALLEN 0000005 500731 6821713

01 FC:1551 980.00 DA  
02 FC:1558 1640.00 DA

[Page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Void date: 01/30/2009 DALLEN  
 01/30/2009 DALLEN 0000005 500731 6821713  
 01 FC:1551 980.00 CR  
 02 FC:1558 1640.00 DA

RCVD At 01/20/2009 02:35:52 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-5/26 \* DNIS:2738300 \* CSID:949 282 1002 \* DURATION (mm:ss):01-16

PTO/SB/66 (08-08)

Approved for use through 04/30/2009. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**1. SMALL ENTITY**

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

**2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

**3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))**

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

Not Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ 980.00	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

**MAINTENANCE FEE BEING SUBMITTED \$980.00**

**4. SURCHARGE**

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

**5. MANNER OF PAYMENT**

- Enclosed is a check for the sum of \$ \_\_\_\_\_.
- Please charge the Deposit Account No. 50-0731 the sum of \$ 2,620.00.
- Payment by credit Card. Form PTO-2038 is attached.

**6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY**

- The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 50-0731.

01/20/2009 TUE 11:56 FAX 949 282 1002 FARJAMI &amp; FARJAMI LLP -&gt;&gt; USPTO

JAN 21 2009

PTO/SB/66 (08-08)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**7. OVERPAYMENT**

As to any overpayment made please

 Credit to Deposit Account No. 50-0731.

OR

 Send refund check.**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

**8. STATEMENT**

The entire delay in payment of the maintenance fee to this patent was unintentional.

**9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**

Signature(s) of Petitioner(s)

1/20/09

Date

Michael Farjami	38,135
Typed or printed name(s)	Registration Number, if applicable
(949) 282-1000	
Telephone Number	
26522 La Alameda Ave., Suite 360	
Address	
Mission Viejo, CA 92691	
Address	

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent register to practice before the patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

**ENCLOSURES**

Maintenance Fee Payment



Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)

